

**Notice of Allowability**

Application No.

10/014,708

Examiner

F. Ryan Zeender

Applicant(s)

KRYSTEK ET AL.

Art Unit

3627

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication received 11/01/2005 and an interview with applicant on 1/13/06.
2. ☒ The allowed claim(s) is/are claims 14, 17-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Marisa J. Dubuc on 1/13/06.

The application has been amended as follows:

Claims 12, 13, 15 and 16 were cancelled.

Claim 14 has been amended as follows:

**Claim 14. A system for facilitating supply chain processes in an outsourced manufacturing environment, comprising:**

**a manufacturing entity comprising:**

**a server;**

**an outsourced supply chain tool executing on said server;**

**a terminal in communication with said server via a communications link;**

**a data storage device in communication with said server via said communications link;**

**a network link to a contract manufacturer system;**

**a network link to a customer focus team system assigned to the contract manufacturer system based upon geographic proximity, said customer focus team system performing logistical administrative services for said contract manufacturing system on behalf of said manufacturing entity;**

**wherein said logistical administrative services include at least one of:**

**facilitating transfer and replenishment of components needed during manufacture;**

**ensuring ongoing inventory demand issues are addressed and resolved;**

Art Unit: 3627

obtaining and providing metrics on outsourced supply chain parts and activities;

assisting said contract manufacturing system during shortfalls of supplies; collaborating with said commodity team council systems relating to acquisition of critical parts; and

providing assistance on matters related to import, export, and tax issues; a network link to a supplier system;

a network link to at least one commodity council team system assigned to the supplier system based upon geographic proximity, said commodity council team providing logistical administrative support to said supplier system;

wherein said logistical administrative support includes at least one of:

ensuring timely placement of purchase orders relating to supporting supplier systems;

managing order books of said supporting supplier system; providing outsourced supply chain metrics relating to supply chain activities;

escalating shortfalls identified for inventories of said supplier systems; assisting said customer focus team systems in acquiring critical parts; facilitating replenishment implementation and drive to complete drop shipment functions;

resolving finance issues; visiting said supplier systems providing support for other outsourced supply chain regions on unique supplier issues;

providing input on supplier report cards; and interfacing with council chairs on contract issues, geographical allocations, supplier credits, and letters to suppliers on transfers;

wherein said outsourced supply chain tool performs:

generating a price protection plan for said contract manufacturer and said supplier, said generating a price protection plan performed by gathering data relating to goods to be manufactured, said data including:

forecast and demand data; supplier commitment data; contract manufacturer award data; and logistical data;

**developing business rules operable for identifying cost savings in accordance with existing negotiated contract pricing and contract terms and conditions of trading partner agreements;**

**executing supply chain activities utilizing results of said generating a price protection plan and said developing business rules.**

In each of claims 17-20, line 1, the language, "claim 15" was changed to —claim 14--.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art, Clendenin (US 2003/0126000), teaches a business information network for a manufacturing entity whereby the network has a link to a contract manufacturer system (i.e., "brake pad manufacturer" 110a; See paragraph 0004) and a link to a supplier system (i.e., tire manufacturer 112; See paragraph 0004); network links to secondary suppliers which may provide services (See paragraph 0005) to the contract manufacturer system and the supplier system (See paragraph 0005, last two lines).

Clendenin lack the specific teaching of a network link to a customer focus team system assigned to the contract manufacturer system based on geographic proximity; the customer focus team system performing logistical administrative services for the contract manufacturer on behalf of the manufacturing entity; the specific types of administrative services; the commodity council team system assigned to the supplier

Art Unit: 3627

system based on geographic proximity; the specific types of administrative support performed by the commodity council team; the outsourced supply chain tool generating a price protection plan for the contract manufacturer and the supplier obtained by gathering data including forecast and demand, supplier commitment, contract manufacturer award data, and logistical data; and developing business rules for identifying cost savings based on contract terms and conditions of trade agreements.

The prior art, JP 11306233 to Sekihashi, teaches an overall production system for a manufacturing company to optimize a supply chain and also to integrate the common jobs by organizing a production system where plural offices are integrated.

Sekihashi lacks the specific teaching of a network link to a customer focus team system assigned to the contract manufacturer system based on geographic proximity; the customer focus team system performing logistical administrative services for the contract manufacturer on behalf of the manufacturing entity; the specific types of administrative services; the commodity council team system assigned to the supplier system based on geographic proximity; the specific types of administrative support performed by the commodity council team; the outsourced supply chain tool generating a price protection plan for the contract manufacturer and the supplier obtained by gathering data including forecast and demand, supplier commitment, contract manufacturer award data, and logistical data; and developing business rules for identifying cost savings based on contract terms and conditions of trade agreements.

The prior art to Kakabadse teaches the benefits of outsourcing services.

Kakabadse lacks the specific teaching of a network link to a customer focus team system assigned to the contract manufacturer system based on geographic proximity; the customer focus team system performing logistical administrative services for the contract manufacturer on behalf of the manufacturing entity; the specific types of administrative services; the commodity council team system assigned to the supplier system based on geographic proximity; the specific types of administrative support performed by the commodity council team; the outsourced supply chain tool generating a price protection plan for the contract manufacturer and the supplier obtained by gathering data including forecast and demand, supplier commitment, contract manufacturer award data, and logistical data; and developing business rules for identifying cost savings based on contract terms and conditions of trade agreements.

The limitations lacking in the prior art, in combination with the other limitations clearly claimed in the application for patent, are novel and unobvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3627

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (571) 272-6790. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

F. Zeender  
Primary Examiner  
A.U. 3627  
January 18, 2006

 1/18/06  
F. RYAN ZEENDER  
PRIMARY EXAMINER